



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814 2329

(916) 322-5660 • Fax (916) 322-0886

February 6, 2014

David Fuentes

REDACTED

RE: Warning Letter:
FPPC No. 14/052: David Fuentes; Candidate for Irwindale City Council

Dear Mr. Fuentes:

The Fair Political Practices Commission (the "FPPC") enforces the provisions of the Political Reform Act (the "Act").¹ found in Government Code Section 81000, et seq. This letter is in response to a non-filer referral that alleged you failed to file a pre-election statement in connection with the City of Irwindale's City Council November 5, 2013 election.

The FPPC has completed its investigation of the facts in this case. Specifically, the FPPC found that you failed to file a pre-election campaign statement by the September 26, 2013 deadline.

The Act requires that candidates file campaign statements at periodic intervals. Specifically the Act provides that elected officers, candidates, and committees shall file pre-election statements. (Section 84200.5.)

Your actions violated the Act because you failed to file the pre-election statement by the specified deadline. Because you did not have an open committee, you filed the Campaign Statement-Short Form prior to contact from the Enforcement Division, and you do not have a history of violating the Act's campaign disclosure provisions, we are closing this matter without any enforcement action.

This letter serves as a written warning. The information in this matter will be retained and may be considered should an enforcement action become necessary based on newly discovered information or future conduct. Failure to comply with the provisions of the Act in the future will result in monetary penalties of up to \$5,000 for each violation.

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

A warning letter is an FPPC case resolution without administrative prosecution or fine. However, the warning letter resolution does not provide you with the opportunity for a probable cause hearing or hearing before an Administrative Law Judge or the Fair Political Practices Commission. If you wish to avail yourself of these proceedings by requesting that your case proceed with prosecution rather than a warning, please notify us within ten (10) days from the date of this letter. Upon this notification, the FPPC will rescind this warning letter and proceed with administrative prosecution of this case. If we do not receive such notification, this warning letter will be posted on the FPPC's website ten (10) days from the date of this letter.

Although the FPPC is not seeking a penalty in the current matter, you are still responsible for any late filing fees assessed by your filing officer. (Section 91013.)

The FPPC publishes forms and manuals to facilitate compliance with the provisions of the Act. If you need forms or a manual, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at 1-866-275-3772. Please also visit our website at www.fppc.ca.gov.

Please feel free to contact Teri Rindahl at (916) 327-2018, with any questions you may have regarding this letter.

Sincerely,

REDACTED

Gary S. Winuk, Chief
Enforcement Division

GSW/tr